

R e m a r k s

The Examiner rejected claims 129-154 under 35 U.S.C. 102(e) as being allegedly anticipated by Ross. In response, base claims 129, 137 and 146 have been amended. Claims 130, 133, 139, 142, 148 and 151 have also been amended to properly reference the amended base claims or to improve their form. Accordingly, a Version with Markings to Show Changes Made to the claims is enclosed.

The invention is directed to a technique for assisting a user of a vehicle to select a service provider (e.g., a service station) for servicing the vehicle when maintenance of the vehicle is required. In accordance with the invention, once it is determined that the vehicle needs maintenance, the GPS data concerning locations of one or more service providers is obtained. The GPS data concerning the current location of the vehicle is also obtained. A service provider is selected based on a comparison of the respective GPS data, e.g., if the service provider is within a predetermined distance from the current location of the vehicle. See page 27, line 22 et seq. of the specification.

Ross discloses use of a PDA to process vehicle status information which is docked to a cradle running certain software. Based on the vehicle status information, the PDA determines, should vehicle maintenance be required, the location and distance to the nearest repair facility (col. 10, line 25 of Ross) which, however, may not be "within a predetermined distance from the current location of the vehicle" as amended claims 129, 137 and 146 require. As such, the claimed invention is not anticipated by Ross. Nor is it obvious from reading Ross. Thus, amended claims 129, 137 and 146, together with their dependent claims, are patentable over Ross.

In addition, the Examiner rejected claims 129-132, 134-141, 143-150, and 152-154 under 35 U.S.C. 102(e) as being allegedly anticipated by Blaker.

Blaker discloses a technique for notifying a driver to exit a limited access highway for fuel. In accordance with the disclosed technique, the distance from the

vehicle's current location to each of the service areas S1 (e.g., at an upcoming exit) and S2 (e.g., at a farther exit) is compared to determine if the remaining fuel in the vehicle is sufficient to reach S2. If the distance to S2 is greater than the range available to the vehicle, the driver is notified to get off the upcoming exit to refuel at S1. See col. 4, line 62 et seq. of Blaker. However, nowhere does Blaker teach or suggest selecting a service provider "within a predetermined distance from the current location of the vehicle," as amended claims 129, 137 and 146 now recite. As such, the claimed invention is not anticipated by Blaker. In fact, Blaker teaches away from the invention by selecting a service area based on the range available to the vehicle which varies with an instantaneous amount of fuel in the vehicle, and which cannot be said predetermined as in the claimed invention. Thus, amended claims 129, 137 and 146, together with their dependent claims, are patentable over Blaker.

The Examiner also rejected claims 133, 142 and 151 under 35 U.S.C. 103(a) as being allegedly obvious over Blaker in view of DeGraaf. According to the Examiner, DeGraaf discloses a navigation system with vehicle service information capable of guiding the vehicle from its current position to a selected service provider. Even assuming, *arguendo*, that the Examiner's characterization of DeGraaf is accurate, claims 133, 142 and 151 are patentable over Blaker in view of DeGraaf by virtue of their dependency on amended claims 129, 137 and 146, which are patentable for the reasons stated above.

In view of the foregoing, each of claims 129-154, as amended, is believed to be in condition for allowance. Accordingly, reconsideration of these claims is requested and

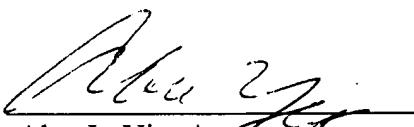
Serial No. 10/038,346

allowance of the application is earnestly solicited.

Respectfully,

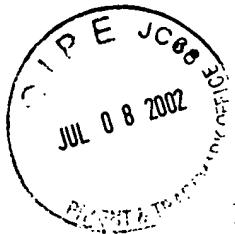
Michael L. Obradovich

By

  
Alex L. Yip, Attorney  
Reg. No. 34,759  
212-836-7363

Date: July 3, 2002

Enclosure



**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

129. (Amended) A method for assisting a user of a vehicle comprising:  
determining whether the vehicle needs a service;  
obtaining GPS data concerning a location of at least one service provider for  
providing the service when it is determined that the vehicle needs the service;  
obtaining GPS data concerning a current location of the vehicle; and  
comparing the GPS data concerning the location of the at least one service  
provider with the GPS data concerning the current location of the vehicle in selecting a  
service provider within a predetermined distance from the current location of the vehicle  
to provide the service.

130. (Amended) The method of claim 129 further comprising communicating to  
the user information about the selected service provider when the selected service  
provider is within [a] the predetermined distance from the current location of the vehicle.

133. (Amended) The method of claim 129 wherein [GPS] data concerning a  
location of the selected service provider is supplied to a navigator for providing directions  
to reach the location of the selected service provider.

137. (Amended) A method for use in a system in a vehicle comprising:  
storing GPS data concerning locations of a plurality of service providers;  
identifying a condition of the vehicle;  
retrieving GPS data concerning a location of at least one of the plurality of service  
providers in response to the condition; and  
comparing GPS data concerning a current location of the vehicle with the  
retrieved GPS data to select a service provider within a predetermined distance from the

current location of the vehicle to attend to the condition.

139. (Amended) The method of claim 137 further comprising communicating information about the selected service provider when the selected service provider is within [a] the predetermined distance from the current location of the vehicle.

142. (Amended) The method of claim 137 wherein [GPS] data concerning a location of the selected service provider is supplied to a navigator for providing directions to reach the location of the selected service provider.

146. (Amended) A system for use in a vehicle comprising:  
a memory for storing GPS data concerning a plurality of service providers;  
a mechanism for identifying a condition of the vehicle, GPS data concerning at least one of the plurality of service providers being retrieved from the memory in response to the condition; and  
a processor for comparing GPS data concerning a current location of the vehicle with the retrieved GPS data to select a service provider within a predetermined distance from the current location of the vehicle to attend to the condition.

148. (Amended) The system of claim 146 further comprising an interface for communicating information about the selected service provider when the selected service provider is within [a] the predetermined distance from the current location of the vehicle.

151. (Amended) The system of claim 146 wherein [GPS] data concerning a location of the selected service provider is supplied to a navigator for providing directions to reach the location of the selected service provider.